



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO 80204-3585

Reply to
Attn. of:

SP 95-06

MAR 10 1995

Subject: New Milk Requirement Under the National School Lunch Program (NSLP) -
Implementing Memorandum

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas, Missouri ED,
(Child Nutrition Programs) Montana OPI, Nebraska ED, North Dakota,
South Dakota, Utah, Wyoming ED

This memorandum serves to implement a provision of Public Law 103-448, Healthy Meals for Healthy Americans Act (enacted November 2, 1994), pending the incorporation of the amended requirement into 7 CFR Part 210 of the NSLP.

Section 9(a)(2) of the National School Lunch Act was amended by Section 107 of the above Public Law to require that schools operating the NSLP offer students a variety of types of fluid milk consistent with the preferences demonstrated by students in the previous year. In addition, in the event that a particular type of milk represents less than 1 percent of the total amount of milk consumed in the previous year, schools may elect not to make this type of milk available. For example, if the amount of whole milk consumed by students in School Year (SY) 1993-94 represented less than one percent of the total amount of milk consumed by students in that SY, the school may elect not to offer whole milk to students in the NSLP in SY 1994-95.

A school may determine the applicability of this provision to a particular type of fluid milk by reviewing the total milk orders for the prior school year. Any type of milk that represents less than one percent of the milk purchased/consumed may be discontinued and no longer offered at the school.

As part of normal review activity, State Agencies (SAs) should continue to determine through observation of the lunch line that all appropriate varieties of milk consistent with the new provision are available to all children. States should review purchase orders for consistency with previous purchase patterns. Since fluctuations in consumption can be expected, SAs should seek explanations from a school only when significant changes in purchase patterns are detected.

If you have any questions, please contact our office.

Ann C. DeGroat

ANN C. DEGROAT
Regional Director
Child Nutrition Programs